

216th Meeting Contractors' Registration and Licensing Board

July 11, 2007

(A) The meeting was called to order by the Chairman, Felix Carlone, at 12:38 PM.

(B) Approval of the agenda and order of business was accepted on a motion by Mr. Caldwell and seconded by Mr. Gianlorenzo.

(C) The minutes of the 215th meeting were approved on a motion by Ms. Calcagne and seconded by Mr. Caldwell;

(1) A brief discussion transpired whereby the Executive Director introduced the three (3) members of the Board:

- J. Lawrence Brillon, Commercial Roofer Member**
- Ronald Caniglia, Commercial Contractor Member**
- Steven Carlino, Contractor Member**

Felix Carlone, Chairman, George Whalen, Executive Director and Kathryn Ryan, Assistant Attorney General, briefly outlined the process of appeals and hearings to the new members and what their responsibilities would entail. All were very receptive to their new responsibilities.

(D) Court Case Update: June 2007

DEFENDANT FINES RESTITUTION DATE CLAIMANT

Carreiro \$250 2/07 Chaves \$158.75 2/07 Alexander

Rebello \$250 2/07 Hoitt

Russo \$100 2/07 Paygai

Turner \$2,450 2/07 D'Alessio

Brown \$500 2/07

Desjarlais \$2,000 \$1,300 2/07 Calcione

Felder \$500 \$1,995 2/07 Kramer

\$1,000 \$1,500 2/07 Felici

\$500 2/07

\$500 2/07

Grilo \$1,000 \$5,000 2/07 Correia

LaRose \$1,000 \$4,500 2/07 Jackvony

\$8,000 2/07 Machado

Migneault \$2,500 \$5,000 2/07 Marcil

Shabenas \$4,000 2/07

\$1,000 2/07

Villatico \$3,500 \$2,330 2/07 Saing

Willard/Seth \$500 \$1,025 2/07 Mercado

\$500 2/07

\$500 2/07

Willard/Sean \$500 \$378 2/07 McClary

Reynolds \$9,441.05 3/07 Megrew

Sarault \$100 3/07 Rook

Rebello \$500 4/07 Hoitt

Russo \$100 4/07 Paygai

Sarault \$100 4/07 Rook

Belisle \$500 5/07

Bozzer \$200 \$270 5/07 Marzochi

Privitera \$5,000 \$8,850 5/07 Ricacly

Roy \$500 \$440 5/07 Brown

Silvio \$2,500 \$3,000 5/07 Viveiros

Theroux \$1,500 \$42,315 5/07 Goncalo

Becker \$2,000 \$4,880 6/07 Davis

Carillo \$500 6/07

Lavallee \$5,000 \$4,000 6/07 Kingsley

Marshall \$4,025 6/07 Kane

\$266 6/07 Ricci

Russell \$1,000 \$5,330 6/07 Pittmann

Sande \$10,500 6/07 Bourne

Tomaselli \$7,500 6/07 Reverdes

\$16,837.50 6/07 Gainor

Sarault \$200 6/07 Rook

Spooner \$500 6/07 D'Amico

Total: \$27,950 \$97,736.30

TOTAL FINES & RESTITUTION: \$189,791.30

(E) Consideration of Cases on Appeal and Oral Argument:

(1) 12:40 PM, claim #5910, Robert Sansone vs. Ronald Kapuscinski, motion to vacate a final order by the respondent. This matter was continued until next month, at the request of counsel;

(2) 01:00 PM, registration #13667, Joseph Faria, Faria Brothers, motion to reinstate a revoked registration. Contractor was not in attendance. A motion was made by Mr. Carlone and seconded by Mr. Gianlorenzo to pass on this motion, matter was not considered and passed unanimously;

(3) Expungement Proceedings:

(a) 01:10 PM, registration #853, Robert Durand, at first the Board passed on the motion to give the contractor more time to attend, then after waiting almost one hour a motion was made by Mr. Brillon and seconded by Mr. Caldwell not to expunge the record. Motion carried unanimously. The Board requested that any future expungement requests that fail to appear must re-file;

(b) 01:20 PM, registration #20005, Stanley Sweeten, who presented his reasons for his request to expunge his record. The Board, after reviewing all the cases and information provided on a motion by Mr. Carlone and seconded by Mr. Gianlorenzo unanimously decided not to expunge the registrant's record. Members felt that not a significant amount of time had lapsed to remove the record and advised Mr. Sweeten to keep up his good record and they will reconsider it if he re-applies next year;

(c) 01:30 PM, registration #13620, Scott Hoppe, who requested the insurance violation be removed from his record issued in June of 2002. The Board on motion by the Chair and seconded by Mr. Gianlorenzo unanimously agreed to expunge the record;

(d) 01:40 PM, registration #7531, Harold Grinnell, who presented his request to expunge claim #6026. The Board reviewed the claim and listened to the registrant's reason for the request. The Chair moved to expunge the record was seconded by Mr. Caldwell and carried with (1) negative vote by Mr. Cardoza. Claim #6026 to be expunged;

(4) 02:00 PM, claim #5198, Denise Manni vs. Michael Caparco, exceptions were filed by the respondent. Both parties were in

attendance, the respondent explained his concerns with the order and explained how he previously returned to the property to fix the problem. The homeowner explained that the problem was only occurring on one side of the house. The Board had many questions on this claim and reviewed the pictures and evidence submitted at the hearing. The architect member, Art Salisbury, and both roof members, Lawrence Brillon and Tom Furey discussed possible causes. Steve, Bob, Felix and Barbara also had questions regarding the scope of work and cause of this problem. Discussion continue well over the normal (10) minutes to each party. The Chair, F. Carlone, remanded this matter back`for a new Administrative hearing to allow the respondent and the homeowner to present additional evidence. Mr. Furey requested he accompany Mr. Lewis on another review of the roof along with the respondent in hopes of a resolution. The Board unanimously voted to remand it back for a new hearing;

(5) 02:20 PM, claim #5628, Charles & Deborah Bergeron vs. Brian Monfils, exceptions previously filed by the respondent, stayed proposed order for follow-up 6/13/07. Respondent did not complete work by scheduled time as ordered. Both parties were represented by legal counsel and the respondents' attorney requested his client be able to return and complete work, homeowners' attorney felt they should be granted a monetary award. After much discussion and a review of the record, the Chair made a motion to remand this matter back to the hearing officer for review only of the remaining items that were never completed and obtain a monetary award. Mr. Gianlorenzo seconded the motion and it carried with Mr. Cardoza opposing the

motion. The matter will be scheduled for a hearing and parties advised accordingly;

(6) 02:40 PM, claim #6024, Maritza Vanleuven vs. Karl Camilo, exceptions filed by the respondent. Only the respondent appeared and he presented his exceptions to the Board. Upon review the Board, on a motion by Mr. Furey and seconded by Mr. Carlone, remanded this matter back for a new hearing. Respondent to be notified of the new date at the address he provided at the appeal meeting;

(7) 03:00 PM, claim #6088, Oscar and Ava Hall vs. Eric Antoine, exceptions filed by the claimant, who presented reasons she felt the matter should be re-heard. Respondent was not in attendance. After discussion and review of the file, the Board remanded this matter back for a new hearing and on a motion by the Chair, Mr. Carlone and seconded by Mr. Gianlorenzo it carried unanimously.

(F) Report of the Executive Director:

(1) Statistics Report: 7/11/07

Registrations:

Number of Registered Contractors 13249

**Number of Cards Surrendered 3714 Number of Cards
/ExpiredLapsed 12001**

Number of Cards Invalidated 457

Number of Cards Suspended 396

Number of Cards Revoked 56

Registration Actions 7/11/07

Number of New Registered Contractors	90
Number of Renewed Contractors	13159
Number of Cards Surrendered	29
Registrations Invalidated	0
Registrations Suspended	7
Registrations Revoked	3

Claims: 7/11/07

Administrative Appeals	4		
Board Appeals	6		
Address Trace	82		
Awaiting Further Action	52		
Court	358		
Disposed	5116		
Final Orders	113		
Hearings	68		
Out of State Services	35	Proposed Orders	25
Under Investigation	143		
Total Claims Filed with the Board	6002		

Number of New Claims	45	6/13/07 – 7/11/07
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Violations:

Action Against Registration	20
Non-Registered Subcontractors	20

Advertising	4	
Cancelled Insurance		900
Notice of Hearing	4	
Non-Registered Contractors		648
TOTAL RECORDS	1596	

Number of New Violations 105

6/13/07 – 7/11/07

Lapsed Registrations/Never Re-Newed:

June 2006 124

July 2006 130

August 2006 107

September 2006 88

October 2006 55

November 2006 49

December 2006 38

January 2007 45

February 2007 70

March 2007 64

April 2007 89

May 2007 99

June 2007 106

Tickets: #'s Fines

2007

January 1 \$250

February 0 \$0

March 5 \$1,100

April 11 \$2,875

May 14 \$5,000

June 4 \$1,150

July 1 \$500

Commercial Roofers: 7/11/07

Number registered 118

Number expired/lapsed 23

Number surrendered 12

Number invalidated 0

Number suspended 0

Number revoked 0

Pending Approval 0

Registration Actions 7/11/07

Number of New Registered Contractors 1

Number of Renewed Contractors 115

Number of Cards Surrendered 0

Number of Expired/Lapsed 0

Registrations Invalidated 0

Registrations Suspended 0

(G) Old Business:

(1) Review of Regulation Laws and Standards Established by Subcommittees: No meetings held.

(H) New Business:

(1) Legislation: Passage of H-6511 Sub A as amended and signed by the Governor on July 3, 2007. This will implement changes discussed by the Legislative Study Commission chaired by Representative Charlene Lima. Programs previously implemented but never funded will now be funded and on July 1, 2008 the Board will revert back to a restricted receipt account. Two new positions were also added to enforce the new changes required by law. Information will be provided on the Boards web site. All forms and a lot of the publications will need to be modified. The affidavit will be modified to reflect use of the word "License" when not licensed as well as continuing education courses required. All the new changes need to be put into the Rules and Regulations and adopted. Concerns were addressed over notary signature in the affidavit when renewing on line, if that happens soon; affidavits will be sent out with September renewals and a fee of \$200 will start August 1, 2007 with all contractors. Forms will need to be updated to reflect the change in the registration fee. Only original affidavits will be accepted.

(2) Study Commission: The Commission has been extended until May 1, 2008 and will work with the Department of Labor and Training on

implementing A DISPUTE RESOLUTION PROCESS for licensed contractors performing work on residential structures:

(3) Implementation Plan: The Board to develop this plan, however, by August 1, 2007 all renewals \$200; July 5, 2007 \$200 all new contractors; as of August 1, 2007 all new contractors must have a signed affidavit and September 1, 2007 all new and renewals must have signed affidavit.

(I) Public Comment: None.

(J) Announcements: The next Board meeting is scheduled for Wednesday August 8, 2007 at 12:00 PM Conference Room “C”, 2nd Floor, One Capitol Hill.

(K) Adjournment: A motion was made by Mr. Salisbury and seconded by Mr. Cardoza to adjourn at 4:25 PM.

Members Present: F. Carlone, D. Caldwell, A. Salisbury, S. Gianlorenzo, T. Furey, R.Cardoza, B. Calcagni, S. Carlino, R. Caniglia and J. Brillon

Members Absent: D. Gagnon. E. Ladouceur and P. Brunetti

Others Present: George Whalen (Executive Director), Kathryn Ryan

(Legal Counsel),

all investigators, stenographer, parties for appeals, expungement and motions.

Respectfully Submitted,

**George W. Whalen, Executive Director
Contractors' Registration Board**

GWW/man